

**RECEIVED****DEC 08 2003****TECH CENTER 1000/2000****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Taylor et al.

Serial number:

09/386,605

Filing Date:

08/31/99

Docket Number

38-21 (15757)

Group Art Unit:

1638

Examiner:

Helmer, G.

Title:

**Novel Transgene Assay Using Stable
Agrobacterium Rhizogenes
Transformation****CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service on this 2nd day of December, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV113668533US addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

DATE: 2 December 2003

Signature

Michelle Ludwig

Printed Name

AMENDMENT B and REMARKS

MAIL STOP RCE
COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action dated 12/3/02, and Applicant's subsequent Notice of Appeal dated May 2, 2003, Applicants hereby file the accompanying Request for Continued Examination and this Amendment B and Remarks responsive to the issues raised in the December 3, 2002 office action. A five-month extension of time has been submitted to render

this amendment timely filed. In the event that any additional extension of time is necessary to render this response timely, the Patent Office is hereby authorized to debit Deposit Account 13-4125 for any such fee required and to consider this a conditional petition therefore.